

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main, Alpine, UT**  
**August 26, 2014**

**I. CALL MEETING TO ORDER:** The meeting was called to order at 6:38 pm by Mayor Don Watkins.

**A. Roll Call:** The following were present and constituted a quorum:

Mayor Don Watkins

Council Members: Lon Lott, Roger Bennett, Will Jones

Council Members not present: Troy Stout, Kimberly Bryant. Mayor Watkins explained that Troy Stout was undergoing chemotherapy and was unable to attend. Kimberly Bryant was also ill.

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Brian Gwilliam, Brad Freeman, Joe McCrae

Others: Christian Hill, Daun Hill, Kellie Hall, Craig Chagnon, Shae Norton, Alyssa Walker, Chris Lamoureux, Gilbert Lamoureux, Cathy Lamoureux, Lynn Broadbent, DeAnza Tirrell, Trevor Tirrell, Jay Garlick, Mija Garlick, Lisa Brown, Nancy Brown, Loretta Allen, Spencer Pinegar, Alex Merrifield, Blair Holman, Margie Holman, Darrell Duty, Angela Duty, Michael Card, Eli Lund, Don Rogers, Downing Akin, Bob Nash, Sheri Nahs, Kelly Gregory, Keith Gregory, Robert Patterson

**B. Prayer:**

Lynn Broadbent

**C. Pledge of Allegiance:**

Gilbert Lamoureux

**II. PUBLIC COMMENT:** Blair Holmes said there appeared to be no consistency in City policy on whether or not signs stayed up. He said they had put up signs for ward functions that were taken down. On the other hand, he'd seen political signs that stayed up for weeks.

There were a number of young men present who were there to present their Eagle scout project. They were invited to come forward.

Alex Merrifield said he wanted to clean up and renew the area around the old Lambert homestead in Lambert Park. He would cut down the starter trees and overgrowth inside the building and clear out the piles of deadwood. Some signs were broken and needed to be fixed. He also want to "eternalize" the plaque. Roger Bennett reminded him to paint the cut trees so they didn't grow back.

Shae Norton said he planned to work on the debris basin at the corner of Country Manor Lane and Preston Drive. It used to have grass that the kids could play on but it got filled up with mud. He would take out the mud and reseed. In regard to a question about watering it, Shane Sorensen said it was getting water, and he approved the plan.

Trevor Tirrell said his project would be painting the curb in front of the Alpine West Stake Center. There was no paint there and the cars parked along it. Rich Nelson said the Fire Department had approved the project.

Spencer Pinegar said he planned to paint the curbs around the fire hydrants on the east side of Alpine. Cars parked in front of the hydrants and if there was a fire, the trucks couldn't get to the hydrants. He would also paint the curbs around the Healey church. Rich Nelson said the curb by the fire hydrants had been approved. They would need to check on painting the curb by the church.

Christian Hill said he wanted to replace the signs at Moyle Park and repaint the front pavilion, which was splitting apart. He had talked to Hunt Willoughby who was going to help him make the sign out of better material. The repainting, scraping and staining would be done by his scout troop.

Gilbert Lamoureux said he would get 20 volunteers to paint the curbing around 50 fire hydrants in the Alpine area. Some of the volunteers would be painting and some would be a safety lookout. He had a map of the service area and the UDOT regulations on painting curbing.

Rhonda Bromley, the new principal of Lone Peak High School, introduced herself and the assistant principals. She said they had an enrollment of 2,557 teenagers. Nine groups from the school had participated in the Alpine Days parade and had so much fun. There was a good feeling in the community and she appreciated the school's partnership with Lone Peak Police Department. They had a new resource officer at the school this year. Mayor Watkins asked what the Council could do to support the school. Ms. Bromley suggested they attend the games. She then passed out Lone Peak tee shirts to the Council and staff.

### **III. CONSENT CALENDAR**

#### **A. Approve the minutes of July 22, 2014**

**MOTION:** Will Jones moved to approve the Consent Calendar and the minutes of July 22, 2014 as amended. Lon Lott seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed unanimously.

### **IV. REPORTS AND PRESENTATIONS: None**

### **V. ACTION/DISCUSSION ITEMS**

**A. Fort Canyon Parking:** Mayor Don Watkins said he had met with City Staff and the City Attorney, and had suggestions for the Council. They would also weigh heavily the points of view of the residents.

Rich Nelson said that ever since KSL had run their article about Sliding Rock, the parking along Fort Canyon Road had been out of control. Not only was it obnoxious to the residents, it was also a safety hazard. The City Council had met with the major landowner of the Sliding Rock area and concluded that No Parking signs would be placed on both sides of the road and parking tickets would be issued. However, that had not worked as well as they'd hoped. Prior to the signs in Fort Canyon, the police issued 35 parking tickets throughout the city of Alpine. Since the parking signs went up, 153 parking tickets were issued and most of them were in Fort Canyon. The parking fines had not deterred the parking. People seemed to think that \$35 was reasonable for a night out with the kids. He said some of the people getting tickets were bishops and leaders of youth groups who were having activities up the canyon. He said that if they would call City Hall first and let them know, they wouldn't issue tickets. But sometimes they didn't call, tickets were issued, and people were upset.

Rich Nelson said they decided to revisit the issue before next spring. Their plan was to leave up the No Parking signs and continue to write tickets. They also suggested the people who lived up Fort Canyon and were planning an event contact the church at the base of the canyon and ask if people could park there. They could then shuttle them up to their house.

Mayor Watkins said that he'd spoken with Public Safety and it wasn't safe to park on either side of the road. Years ago they had lost a child on that road. He said that the Live Nativity had 15,000 people attend. There was no parking on Grove Drive. Instead they had people park at the church and they transported them to the site.

Andrea Bishop said she lived up Fort Canyon. They usually had a monthly event at their home. She said that years ago the City made them pay to widen the road in front of their home and put in curb, gutter and sidewalk all the way to their property line. She said they should be allowed to have people park in front of their home. The No Parking signs should be placed up past their property line.

Jay Garlick said he was a BYU bishop and they had family home evening events at their home for the BYU kids. They had lived there 11 years and never had a problem with parking. He said they had three or four weddings at their home, and recently they had an officer giving tickets at his daughter's wedding. He said they'd been told by the City that they should call if they were having an event, but they'd forgotten to call on this one. Still, the officer knew they were having a wedding and he issued three tickets. He said he called Dispatch and they didn't know what he was talking about. Mayor Watkins noted that they were so supposed to call Alpine City so they could alert the officers.

Jay Garlick said the problem had been resolved, but his proposal was that the signs be moved farther up the canyon and not placed in front of his home. He didn't think they should be penalized for a problem up the canyon.

Mayor Watkins asked if it would be safe to park where the sidewalk was broken. The response from Public Safety was no.

Darrell Duty said he lived at the top of the Fort Canyon Road where everyone parked to go to Sliding Rock. The road was so narrow, there was no room for parking. Two of his daughters were in a head-on collision because the road was so narrow. He disagreed about moving the parking signs higher up the canyon. If there was a fire at the top of the canyon, the fire trucks wouldn't be able to get through. He commended the police and said they were doing an outstanding job. He felt the traffic had been reduced by 80 percent. But he was still picking up trash. He suggested the fine be even higher than \$35. The problem was they had people coming who were not from Alpine. They were mostly young people who had no respect for other people's property. When it was hot, he was calling the police three times a day.

Don Rogers said he lived on Fort Canyon Road. He was speaking for his wife regarding an email she sent. When the signs were first put up to solve a problem at the end of the road, it seemed unreasonable for other residents on the road. It hadn't stopped people from going to Sliding Rock, and it caused problems for people living along the road. He had choir practice at his home. The best solution would be to provide an off-street parking area for people going to Sliding Rock.

Kelly Gregory said they had provided an off-street parking lot. It was an opportunity for their son to have a summer job so they opened up their property as a parking lot. She guessed that about half of the people who used it were from Alpine. Sometimes they had old timers from Alpine with no money that just wanted to park, and they let them. She said they'd had no issues, no garbage, no vandalism. The only the issue they'd seen was by the Duty's home. She said the signs needed to be moved up past the Garlick house, but it was still a one-lane road.

Lisa Brown said she was the one whose road was falling apart. It had gotten so bad that she had people parking in her driveway and lower down. She'd had motorcycles roll all the way down and fall on top of equipment. She was grateful for the police. There were times when she couldn't get the cars out of her driveway. They were all kids with out-of-state license plates. She said she was grateful for the big rocks that had been placed along her property to keep people from parking there. She asked if it would be easier for residents to have something to put on their windshield when they had an event so they wouldn't be ticketed.

Lynn Broadbent said he'd seen a lot of changes up Fort Canyon in the time he lived there. The thing that concerned him more than the parking was the speeding. There would be some serious wrecks. He said that if they stopped people from parking, they would be walking up the road which was more dangerous. It would help if they got the development up the canyon built and widened the road and provided a parking lot.

Jay Garlick said he concurred with Lynn Broadbent and asked how fast a bike could legally come down the road.

Police Chief Brian Gwilliam said bikes were no safer than cars. In many cases they were worse because they ignored speed limit signs and didn't stop at stop signs. He said writing tickets was not the favorite thing to do for his officers, but they were asked to enforce the law. He was making no apologies for his officers for doing their job. He said the road was too narrow for parking. He'd worked in Alpine for 20 years and when there was an accident on Fort Canyon Road, it was not a fender bender. There were also motorcycle accidents with serious injuries.

Fire Chief Brad Freeman said he had two concerns with people parking on either side of the road. First, the fire department couldn't get through with their fire trucks. Second, when cars pulled off the road onto the grass, the heat from the car could start a fire. That was what started the fire up Fort Canyon a few years ago. If they parked off the road, the grass would have to be mowed or plowed under.

Mayor Watkins thanked the public for their comments and their civility. He opened the discussion to the Council.

Lon Lott asked if people were paying their tickets. He said he liked the idea of raising the fine, but it would be pointless if the tickets weren't being paid. Brian Gwilliam said he didn't know if the fines were being paid. They would have to check with the court.

Will Jones said he agreed with Andrea Bishop's comment. The width of pavement in front of their property was the same as in other parts of town. He said that when Fort Canyon Road was eventually improved as part of the Three Falls development, people would still not be able to park on both sides of the road because there would be retaining walls. Widening the road even more would increase the height of the retaining walls, plus every time a road was widened, it increased the speed of the cars. He said Sliding Rock would go away when the development was built. The City did not want to preserve it because of the liability. The development plan showed a parking area just inside the gate, but it was not for Sliding Rock. It was to provide access to the trails.

Regarding signage, Mayor Watkins said there appeared to be a pretty good consensus that the road up to the end of the sidewalk would not have to be signed because it was wider. They would still not allow parking past that point.

Jay Garlick said the kids from BYU came in the evening and didn't always see the signs. Mayor Watkins suggested he email them and let them know about the parking restriction.

**MOTION:** Will Jones moved to continue the No Parking sign policy for Fort Canyon Road with the exception that they remove the signs up to the end of the Bishop's property and have No Parking signs across the street from the Anderson property. Roger Bennett seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

**B. Sprint Cell Tower Upgrade:** Jason Bond said the upgrade request had been to the Planning Commission who reviewed the plan and recommended the Council approve it. They asked that Sprint work with the neighbors to mitigate any negative impact on the neighborhood. He then turned the time over to Craig Chagnan who represented Sprint.

Mr. Chagnan said they would be adding two antennae to the tower which would expand the coverage, breadth and speed of their service. It was phase two of the technology upgrade they started the previous year. A condition of approval from a year ago was that they landscape the site. Five trees were planted but the watering system broke and a couple of trees died. They had since added four trees and fixed the watering system. The feedback from the neighbors was that it looked pretty good. The new antennae would not look that much different from before. It was not quite a flush mount but they would be as close as they could get.

David Church said Congress had changed the laws on cell towers to say local governments shall approve a request to upgrade a cell tower unless there is a substantial change. It allowed the cell companies to put in new technology without going through a lengthy process. There was a list of things which constituted a substantial change.

Lon Lott said he wanted to go on record that he appreciated Sprint's effort to make the tower look good (as did some of the residents in the area). The resident's focus was now on the AT&T tower which didn't look as good. He said the residents were good people who had believed they could have some input on the towers, but realized after David Church's presentation on the new legislation that they didn't have the control they thought they did. They couldn't require landscaping but the neighbors would be more accepting of the towers if it was there.

**MOTION:** Will Jones moved to approve the Sprint Tower upgrade as outlined. Roger Bennett seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

Mayor Watkins suggested they move David's Court and Heritage Hills up on the agenda since the applicants were there.

**E. David's Court, Plat F, Final Approval - Patterson Construction:** Jason Bond said the developers were seeking final approval for the first of two phases in David's Court, Plat F. The first phase consisted of 8 lots on the western part. The developer had worked with the Fire Chief on fire flow. One of the lots had frontage on Canyon Crest Road, which was an arterial road. They would be required to have a circular driveway so they weren't backing out into traffic. Mr. Bond said the subdivision ordinance had been recently amended to allow for cleaner lot lines.

Will Jones said he had concerns about lot 3 which fronted on Canyon Crest. He wasn't sure a circular driveway would help. There was limited sight distance between the car and the top of the hill. If a car came over the hill fast, it wouldn't give someone who was pulling out much time.

Shane Sorensen said the sight distance met national ASHTO standards. The homeowner may want to turn right as they exited their property.

Will Jones asked about the sewer lateral in Canyon Crest Road and wondered if it should go back along the lot lines. Shane Sorensen said there were pros and cons of each. It was a challenge to have a sewer lateral for someone's property running across other people's property. They had looked at and thought this would be the best way to do it.

**MOTION:** Will Jones moved to approve the first phase of David's Court, Plat F subject to the following conditions:

1. There be a circular driveway on lot 3 to prevent backing out onto Canyon Crest Road.
2. The developer meet the water policy.
3. The developer acquire approvals for the Utility Notification Form.
4. The developer address any remaining redlines on the construction drawings and plat.
5. The developer provide a construction cost estimate to access the bond.

Roger Bennett seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

Shane Sorensen also requested that the developer mow down the weeds along the road.

**F. Heritage Hills, Plat C – Revised Final Plat - Downing Akin:** Jason Bond said the developer had already received final approval for Plat C in Heritage Hills but it had not been recorded. There were a few odd lot lines that they wanted to clean up. The map showed the original lot lines with the revised lot lines superimposed on them. There was not a lot of change. There was no increase in the number of lots. Some lots had widened frontages.

Jason Bond said the City was in the process of amending the PRD Ordinance which would provide for more logical lot lines. Mr. Akin may come back with another plan depending on changes in the PRD Ordinance.

Jason Bond said that Jason Thelin had a copy of the original map for Heritage Hills which showed the trails. The revised plat was missing part of a trail and the Planning Commission recommended it be shown on the revised plat. Shane Sorensen said the developer had already bonded for the trails.

**MOTION:** Will Jones moved to approve the revised final plat for Heritage Hills Plat C subject to the following conditions:

1. The developer meet the water policy.
2. The developer provide a construction cost estimate.
3. Show the trail between lots 316 and 317 on the final plat.

Lon Lott seconded. Ayes: 3 Nays: 0. Will Jones, Lon Lott, Roger Bennett voted aye. Motion passed.

**C. Alpine Days Review:** Mayor Don Watkins said Alpine Days was great and thanked Will Jones for his work. The fireworks were amazing.

Fire Chief Brad Freeman said that if they did the same fireworks show again, they would have to go back to the junior high. In Creekside Park they were 220 feet away from the people and had 6 inch shells. They should have been 600 feet from the crowd. For safety they needed to move the event back to Burgess Park/Timberline Middle School or have a smaller event.

Will Jones reviewed Alpine Days. He said he wanted to thank Janis Williams for coming down to City Hall every day and selling tickets and tee shirts. There were several volunteers that had been doing the same event for years and they really needed to express appreciation to them. He'd like to have something in the Newline to recognize them. Mike Evans had been running the 5K for years. Also, people really appreciated having Alpine Days in Creekside Park. It gave them room to move around.

Mr. Jones said the Fish Grab was very successful and people had asked that it be continued, but they didn't have enough slots for all the people who wanted to sign up. He also thanked the Becks who put on the rodeo. Two weeks before Alpine Days, the rodeo was called off and then it was on. The Council needed to decide if they wanted the rodeo to continue.

The Senior Dinner was the best part of Alpine Days. The Alpine West Stake would be taking it over next year. The Alpine's Got Talent needed work. It was the kind of event that people needed to start getting ready for now. He said the parade also needed fixing. They had only two floats. They didn't do the Pig Wrestling this year because the owners of the pigs were booked elsewhere.

There needed to be more activities for teenagers 12-18 in the park. There needed to be more game booths. They may want to consider one enhancement ride such as a merry-go-round. The train ride was successful but there needed to be an adult in the last car that was watching or there could be a mishap.

On the youth dance, they needed to be sure of what they were doing and be ready for it.

He recommended that they not have tee shirts next year. They had a lot of shirts left over. The story telling event needed more publicity. People were asking for tennis competition and a bike race for next year.

Mr. Jones said the accounting on Alpine Days needed tighter controls. They came in under budget but there were other costs they didn't know such as the barricades and bathrooms. He stressed that it was important to start now with next year's Alpine Days. There were probably some chairmen who would be willing to do it again. They had been paying the head chairman \$3000. They needed to advertise that and get a chairman sooner rather than later.

Mayor Watkins said they should put a notice in the Newline that they were looking for a chairman for next year's Alpine Days.

**D. Food Trucks:** Rich Nelson said that when he started working for Alpine City the word was that food trucks were not wanted. The attitude seemed to have changed. The Council needed to decide when and where they wanted them. Will Jones said the challenge would be to have them in a location that didn't cause traffic problems, and that they come on a regular basis.

David Church said that cities who allowed food trucks usually had some qualifications and limited licensing and bonding. The food truck needed to have a business license so they could pay sales tax. The sales tax went to the city where the truck was licensed. Other cities could license them like peddlers.

Brad Freeman said he owned a food truck in Hurricane. He had to get a state license, a Board of Health license, a license from Hurricane City, and approval from the lot owner where he parked. There were limited licenses in Hurricane and there were three kinds of licenses. A long-term license, a short-term license, and a special event license like Alpine Days. If they had a long-term license, the city inspected it. They did not drive up and down the street but were in a fixed location. He said he had a long-term license.

Mayor Watkins asked Rich Nelson to get some best practices from Hurricane and other cities. They should start small.

Jason Thelin said the City regulations had killed the hotdog stand last year, but they let in food trucks without much thought. David Church said that once cities allowed food trucks, they couldn't discriminate in favor of residents businesses. For instance, if the city had a brick and mortar businesses was selling ice cream, they couldn't prohibit a food truck from selling ice cream. He said that was why the restaurant people hated them. The food trucks had so little regulation and took away their business.

## **VI. STAFF REPORTS:**

Charmayne Warnock said that some cities were going to election by mail rather than having early voting and polling places. The city simply sent every registered voter an absentee ballot. In other cities it had increased turnout to about

68% rather than the usual 20%. She said she would come back with some estimated costs so the Council could compare the possibilities.

Shane Sorensen said the HA5 project was almost complete. The rainy weather had not been conducive to it. The overlay projects bid were in and the low bid was \$191,000. All the bids came back within \$10,000 of each other. The roundabout was scheduled for work, but they would do it at 5 am Sunday morning to avoid inconveniencing people.

Shane Sorensen reported that they had a couple of rain events in the past few weeks. They got .53 to .54 inches out of Box Elder and it all went to Dry Creek. There were no issues. A second event generated 1.18 inches. The storm system they put in place handled it very well. He said the rainfall was more drawn out this year, nothing like last year's rainstorms. Hopefully things would continue like that. If they did get a big one, they may have to spread the water out more.

Lee Devey was present and asked if there was any progress on the Ken McClure thing. He had brought in another truck and some more junk. Jason Bond said he had contacted the prosecuting attorney but hadn't heard back.

## **VII. COUNCIL COMMUNICATION**

Will Jones said there were complaints from neighbors about the metal tanks Edizone had behind their business. David Church said he and Rich Nelson went by earlier and set up a meeting with them. The problem was that they were an existing facility that predated the houses.

Will Jones said there was a request for an easement through Lambert Park to take power to Box Elder Plat E. There was a PUE (public utility easement along the backs of the lots in the Box Elder subdivision but the lots were landscaped and the power company wanted to know if they could go along the edge of Lambert Park instead. He said the City also had a sewer easement along there. He expected the power company would be asking for a 10 foot easement along Lambert Park because they would prefer to work with the City rather than with the homeowners, or they would go through Box Elder and cut up the roads.

Mayor Watkins asked if that was the sort of thing that would need a super majority vote. David Church said it was a utility so it wouldn't. There was a 10-foot public utility easement in Box Elder but homeowners had landscaped over it.

Shane Sorensen said they would probably have the same issue when they wanted to run a gas line because they didn't have the capacity to serve the existing lots. They would probably come in and request to connect to Moyle Drive.

Mayor Watkins pointed out that if that was on private property, they would say make me an offer.

Lon Lott said residents were saying they couldn't access him by the email address on the website.

## **VIII. EXECUTIVE SESSION**

**MOTION:** Will Jones moved to go into closed session to discuss pending litigation. Roger Bennett seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

The Council went into Executive session at 9:10 pm

The Council returned to open meeting at 10:10 pm.

**MOTION:** Will Jones moved to adjourn. Roger Bennett seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:10 pm.